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**MAY 24 2004**

**OFFICE OF PETITIONS**

In re Application of :  
Pan, Yang, Chen, and Zhang :  
Application No. 10/756,936 : DECISION ACCORDING STATUS  
Filed: January 13, 2004 : UNDER 37 CFR 1.47(a)  
Attorney Docket No. 23340-08599 :  
For: Reflective Spatial Light :  
Modulator :

This is in response to the petition under 37 CFR 1.47(b), filed January 13, 2004, which has been treated as a petition under 37 CFR 1.47(a).<sup>1</sup>

The petition is granted.

Petitioner has shown that Dr. Shaoher X. Pan, the non-signing inventor, has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the statement of facts of Greg T. Sueoka, a registered practitioner, establishes that the inventor was mailed the application papers, including the specification, claims and drawings, but failed to respond to the request that he sign the declaration.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the

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<sup>1</sup> A petition under 37 CFR 1.47(b) is inappropriate in this instance because all but one of the inventors has signed the declaration. A petition under 37 CFR 1.47(b) is only appropriate where none of the inventors will sign, accordingly the petition will be treated as a petition under 37 CFR 1.47(a).

address given in the present petition. Notice of the filing of this application will also be published in the Official Gazette.

The application will be examined in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 306-5589.

*Christina Tartera Donnell*

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